



Kentucky Board of Medical Licensure Newsletter

Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222

Spring 2002

Danny M. Clark, M.D., President

Changes in Medical Practice Act

During the 2002 Kentucky General Assembly House Bill 617, sponsored by Representative Bob M. DeWeese, M.D. and Robert R. Damron, was passed and signed by the Governor on April 2. The bill addressed various provisions of the Medical Practice Act and enhances the KBML's ability to more timely and effectively discipline physicians, require physician assistant's scope of practice to be within that of their supervising physicians and improves the Board's physician assistant application process and oversight of PA's scope of practice.

Revised Policy Regarding Reporting of Impaired Physicians

The Board at its March meeting revised its policy regarding hospitals and physicians reporting any direct knowledge that a licensed physician has violated the Medical Practice Act. This reporting requirement includes information about impaired physicians. The Board previously took the position with regard to impaired physicians that this requirement could be met by reporting the information directly to IPP and permitting the physician to independently contact IPP to arrange for evaluation and/or participation. The revised policy states that if a licensed physician or hospital staff believes that a physician is impaired—due to chronic alcoholism, chemical dependency or physical/mental disability(ies)—this must be reported directly to the KBML within ten days of obtaining direct knowledge of the impairment. The Board's revised policy statement can be viewed on its web site at www.kbml.org.

Appointments to the Board

On April 9, 2002, Governor Paul E. Patton appointed M. Lynn Fischer to serve on the Board for a term expiring August 31, 2005, as a consumer advocate. Ms. Fischer is from Louisville and is a television executive with a company that specializes in distance learning. Ms. Fischer will replace Kathie E. Grisham, Esq., whose term has expired. Linda A. Mumford, M.D., was reappointed representing licensed medical physicians to serve for a term expiring August 31, 2005.

KBML Ranking Among Other State Boards

Based on statistics compiled by the Public Citizens' Health Research Group, a health care consumer advocate group in Washington, D.C., Kentucky remains one of the more active medical boards in the country taking disciplinary actions against physicians who violate the Medical Practice Act. In 2001 Kentucky ranked fifth in serious disciplinary actions taken. For the past ten years, the Board has ranked in the top one-third in the country.

The Board is committed to the public to take appropriate disciplinary action in a timely manner when violations of the Medical Practice Act occur.

Disciplinary Actions

Linas J. Adams, M.D., #22531

Previously reported for licensure suspension based on failure to complete continuing medical education as required by 201 KAR 9:310. License reinstated effective 01-28-02, based on providing verifiable evidence of their completion of the CME requirement.

Lewis B. Boone, M.D., #29173, Carter Co.

Agreed Order of Indefinite Restriction entered into 01-18-02.

Patrick L. Burba, M.D., #29358, Hardin Co.

Order Amending Agreed Order of Indefinite Restriction entered into 02-08-02.

Frederick H. Coates, M.D., #21689, Jessamine Co.

Agreed Order of Indefinite Restriction entered into 03-07-02.

Gregory Hoskins, P.A.-C, PA #267, Hopkins Co.

Agreed Order of Surrender entered into 02-13-02.

Seth S. Johnston, M.D., #31767, Jefferson Co.

Agreed Order of Probation entered into 01-17-02.

Laura L. McKay, M.D., #28826, Nelson Co.

Order Terminating Agreed Order of Probation issued 01-30-02.

Atilla A. Lenkey, M.D., #27503

Previously reported for licensure suspension based on failure to complete continuing medical education as required by 201 KAR 9:310. License reinstated effective 03-07-02, based on providing verifiable evidence of their completion of the CME requirement.

Thomas E. Nogueira, M.D. #33054

Previously reported for licensure suspension based on failure to complete continuing medical education as required by 201 KAR 9:310. License reinstated effective 11-09-01, based on providing verifiable evidence of their completion of the CME requirement.

Nikhil S. Parulekar, D.O., #02630, Whitley Co.

Order Denying Request to Modify Agreed Order of Revocation; Probated issued 03-12-02.

Clifford A. Poppens, M.D., #19839, Daviess Co.

Agreed Order of Suspension; Probation entered into 03-04-02.

Thomas P. Rankin, M.D., #19902, Kenton Co.

Order Amending Amended Agreed Order of Indefinite Restriction issued 02-21-02.

Gopal K. Rastogi, M.D., #19496, Laurel Co.

Agreed Order of Indefinite Restriction entered into 02-21-02.

Johnny L. Rhodes, M.D., #35326, Jefferson Co.

Agreed Order of Surrender entered into 02-20-02.

John M. Rollins, M.D., #26026

Previously reported for licensure suspension based on failure to complete continuing medical education as required by 201 KAR 9:310. License reinstated effective 01-03-02, based on providing verifiable evidence of their completion of the CME requirement.

Mark W. Rukavina, M.D., #22686, Fayette Co.

Agreed Order of Indefinite Restriction entered into 02-21-02.

Bruce S. Senter, M.D., #28406

Previously reported for licensure suspension based on failure to complete continuing medical education as required by 201 KAR 9:310. License reinstated effective 01-15-02, based on providing verifiable evidence of their completion of the CME requirement.

Jayati C. Singh, M.D., #32928

Previously reported for licensure suspension based on failure to complete continuing medical education as required by 201 KAR 9:310. License reinstated effective 03-06-02, based on providing verifiable evidence of their completion of the CME requirement.

Girolamo J. Trotti, M.D. #31710

Previously reported for licensure suspension based on failure to complete continuing medical education as required by 201 KAR 9:310. License reinstated effective 01-22-02, based on providing verifiable evidence of their completion of the CME requirement.

New KBML Web Site Address

The Board's web site address has been changed to www.kbml.org. This site contains information about the Board, policy statements and guidelines, a direct link to the Kentucky Medical Practice Act Statutes & Regulations, the KBML Newsletter, monthly disciplinary actions, application forms and other valuable information for the public as well as for physicians, physician assistants and athletic trainers. A physician profile is now on line on the KBML site containing information on active physicians in the state. The profile contains name, license number, practice address, practice county, area of practice, type of practice, year licensed in Kentucky, medical school, year graduated and disciplinary actions taken in the past ten years if applicable.

If you have Internet access please visit the KBML web site and let us know your opinion. Any suggestions or additional items that you would like available on the web page will be welcome.

Inquiries Regarding KASPER Reports

Do you have a question regarding the security of the KASPER report you order on a patient? At our March meeting the Board approved a standard letter for responding to these types of inquiries. If you would like to review this letter you can do so by visiting our web site at www.kbml.org or contacting our office to obtain a copy.

Reporting of Malpractice Claims

The State Department of Insurance has asked the Board to remind all physicians with a Kentucky medical/osteopathic license that their insurance carrier must report all malpractice claims to the Department of Insurance office within sixty (60) days of closure as required by KRS 304.40-310. This includes providers that are self-insured.

Request for Patient Records

KRS 422.317(1) provides, in part, that upon a patient's written request a physician shall provide, without charge to the patient, a copy of the patient's medical record. A copying fee, not to exceed one dollar (\$1) per page, may be charged by the physician for furnishing a second copy of the patient's record upon request either by the patient or the patient's attorney or the patient's authorized representative.

While statute requires a patient's written request, attorneys have presented written requests on behalf of the patient as the patient's agent. It is the opinion of the Board that an attorney may transmit the written request of a patient to obtain a free copy of their medical records under KRS 422.317(1). However, an attorney may not simply request a copy of the patient's records "on behalf of..." their client. When a physician receives a patient's written request, either directly from the patient or through their agent, for a free copy of the patient's medical record, the physician is not required to mail the medical record to the patient or their agent.

2002 Annual Renewal of Physician Licenses

Annual renewal of physician licenses for the current year has just been completed with 8,513 physicians with an in state practice address and 3,580 physicians with an out of state practice address registering their license for 2002. The total of 12,093 reflects an increase of 234 over last year's total and represents the largest number of physicians to register their medical license.

Kentucky Board of Medical Licensure

Change of Address Notice

Please Note: The information that you provide on this Change of Address Notice will be used to update your profile on the Board's web site at www.kbml.org.

(Please Print or Type Information)

Date: _____

KY License Number: _____

Name: _____
(last) (first) (m.i.)

Mailing Address: _____
(street)

(city) (state) (zip)

KY Practice County: _____ **Office Telephone:** _____

Practice Address: _____
(street)

(city) (state) (zip)

E-Mail Address: _____

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310 Whittington Parkway, Suite 1B
Louisville, KY 40223

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